



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2825

Introduced 2/16/2023, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-3 from Ch. 46, par. 1-3
10 ILCS 5/1-13
10 ILCS 5/1-13.5 new

Amends the Election Code. Provides that, no later than 183 days after the effective date of the amendatory Act, the State Board of Elections shall adopt rules authorizing election authorities and local election officials to establish procedures under which digital voter signatures may be collected for nominating, candidate, and referendum petitions. Provides that those rules shall provide that any election authority or local election official may provide or supply electronic devices for the collection of digital voter signatures on petitions. Provides that the electronic devices, whether or not they are supplied by an election authority or local election official, may be capable of allowing a person to access and use the online voter registration system established under specified provisions of the Code. Makes conforming changes.

LRB103 27257 BMS 57419 b

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 1-3 and 1-13 and by adding Section 1-13.5 as follows:

6 (10 ILCS 5/1-3) (from Ch. 46, par. 1-3)

7 Sec. 1-3. As used in this Act, unless the context
8 otherwise requires:

9 1. "Election" includes the submission of all questions of
10 public policy, propositions, and all measures submitted to
11 popular vote, and includes primary elections when so indicated
12 by the context.

13 2. "Regular election" means the general, general primary,
14 consolidated and consolidated primary elections regularly
15 scheduled in Article 2A. The even numbered year municipal
16 primary established in Article 2A is a regular election only
17 with respect to those municipalities in which a primary is
18 required to be held on such date.

19 3. "Special election" means an election not regularly
20 recurring at fixed intervals, irrespective of whether it is
21 held at the same time and place and by the same election
22 officers as a regular election.

23 4. "General election" means the biennial election at which

1 members of the General Assembly are elected. "General primary
2 election", "consolidated election" and "consolidated primary
3 election" mean the respective elections or the election dates
4 designated and established in Article 2A of this Code.

5 5. "Municipal election" means an election or primary,
6 either regular or special, in cities, villages, and
7 incorporated towns; and "municipality" means any such city,
8 village or incorporated town.

9 6. "Political or governmental subdivision" means any unit
10 of local government, or school district in which elections are
11 or may be held. "Political or governmental subdivision" also
12 includes, for election purposes, Regional Boards of School
13 Trustees, and Township Boards of School Trustees.

14 7. The word "township" and the word "town" shall apply
15 interchangeably to the type of governmental organization
16 established in accordance with the provisions of the Township
17 Code. The term "incorporated town" shall mean a municipality
18 referred to as an incorporated town in the Illinois Municipal
19 Code, as now or hereafter amended.

20 8. "Election authority" means a county clerk or a Board of
21 Election Commissioners.

22 9. "Election Jurisdiction" means (a) an entire county, in
23 the case of a county in which no city board of election
24 commissioners is located or which is under the jurisdiction of
25 a county board of election commissioners; (b) the territorial
26 jurisdiction of a city board of election commissioners; and

1 (c) the territory in a county outside of the jurisdiction of a
2 city board of election commissioners. In each instance
3 election jurisdiction shall be determined according to which
4 election authority maintains the permanent registration
5 records of qualified electors.

6 10. "Local election official" means the clerk or secretary
7 of a unit of local government or school district, as the case
8 may be, the treasurer of a township board of school trustees,
9 and the regional superintendent of schools with respect to the
10 various school officer elections and school referenda for
11 which the regional superintendent is assigned election duties
12 by The School Code, as now or hereafter amended.

13 11. "Judges of election", "primary judges" and similar
14 terms, as applied to cases where there are 2 sets of judges,
15 when used in connection with duties at an election during the
16 hours the polls are open, refer to the team of judges of
17 election on duty during such hours; and, when used with
18 reference to duties after the closing of the polls, refer to
19 the team of tally judges designated to count the vote after the
20 closing of the polls and the holdover judges designated
21 pursuant to Section 13-6.2 or 14-5.2. In such case, where,
22 after the closing of the polls, any act is required to be
23 performed by each of the judges of election, it shall be
24 performed by each of the tally judges and by each of the
25 holdover judges.

26 12. "Petition" of candidacy as used in Sections 7-10 and

1 7-10.1 shall consist of a statement of candidacy, candidate's
2 statement containing oath, and sheets containing signatures of
3 qualified primary electors bound together.

4 13. "Election district" and "precinct", when used with
5 reference to a 30-day residence requirement, means the
6 smallest constituent territory in which electors vote as a
7 unit at the same polling place in any election governed by this
8 Act.

9 14. "District" means any area which votes as a unit for the
10 election of any officer, other than the State or a unit of
11 local government or school district, and includes, but is not
12 limited to, legislative, congressional and judicial districts,
13 judicial circuits, county board districts, municipal and
14 sanitary district wards, school board districts, and
15 precincts.

16 15. "Question of public policy" or "public question" means
17 any question, proposition or measure submitted to the voters
18 at an election dealing with subject matter other than the
19 nomination or election of candidates and shall include, but is
20 not limited to, any bond or tax referendum, and questions
21 relating to the Constitution.

22 16. "Ordinance providing the form of government of a
23 municipality or county pursuant to Article VII of the
24 Constitution" includes ordinances, resolutions and petitions
25 adopted by referendum which provide for the form of
26 government, the officers or the manner of selection or terms

1 of office of officers of such municipality or county, pursuant
2 to the provisions of Sections 4, 6 or 7 of Article VII of the
3 Constitution.

4 17. "List" as used in Sections 4-11, 4-22, 5-14, 5-29,
5 6-60, and 6-66 shall include a computer tape or computer disc
6 or other electronic data processing information containing
7 voter information.

8 18. "Accessible" means accessible to persons with
9 disabilities and elderly individuals for the purpose of voting
10 or registration, as determined by rule of the State Board of
11 Elections.

12 19. "Elderly" means 65 years of age or older.

13 20. "Person with a disability" means a person having a
14 temporary or permanent physical disability.

15 21. "Leading political party" means one of the two
16 political parties whose candidates for governor at the most
17 recent three gubernatorial elections received either the
18 highest or second highest average number of votes. The
19 political party whose candidates for governor received the
20 highest average number of votes shall be known as the first
21 leading political party and the political party whose
22 candidates for governor received the second highest average
23 number of votes shall be known as the second leading political
24 party.

25 22. "Business day" means any day in which the office of an
26 election authority, local election official or the State Board

1 of Elections is open to the public for a minimum of 7 hours.

2 23. "Homeless individual" means any person who has a
3 nontraditional residence, including, but not limited to, a
4 shelter, day shelter, park bench, street corner, or space
5 under a bridge.

6 24. "Signature" means a name signed in ink or in digitized
7 form. Except as otherwise provided in Section 1-13.5, this
8 ~~This~~ definition does not apply to a nominating or candidate
9 petition or a referendum petition.

10 25. "Intelligent mail barcode tracking system" means a
11 printed trackable barcode attached to the return business
12 reply envelope for mail-in ballots under Article 19 or Article
13 20 that allows an election authority to determine the date the
14 envelope was mailed in absence of a postmark.

15 (Source: P.A. 99-143, eff. 7-27-15; 99-522, eff. 6-30-16.)

16 (10 ILCS 5/1-13)

17 Sec. 1-13. Forms of signature. The making and signing of
18 any form, including an application to register, a certificate
19 authorizing cancellation of a registration or authorizing a
20 transfer of registration, an application to vote, a
21 provisional ballot, or affidavit, ~~but not including a~~
22 ~~nominating or candidate petition or a referendum petition,~~ may
23 be by a signature written in ink or in digitized form. Except
24 as otherwise provided in Section 1-13.5, the making and
25 signing of forms under this Section does not include the

1 signing of a nominating or candidate petition or a referendum
2 petition.

3 (Source: P.A. 99-522, eff. 6-30-16.)

4 (10 ILCS 5/1-13.5 new)

5 Sec. 1-13.5. Authorization of digital signatures on
6 nominating, candidate, and referendum petitions. No later than
7 183 days after the effective date of this amendatory Act of the
8 103rd General Assembly, the State Board of Elections shall
9 adopt rules authorizing election authorities and local
10 election officials to establish procedures under which digital
11 voter signatures may be collected for nominating, candidate,
12 and referendum petitions. Those rules shall provide that any
13 election authority or local election official may provide or
14 supply electronic devices for the collection of digital voter
15 signatures on petitions. The electronic devices, whether or
16 not they are supplied by an election authority or local
17 election official, may be capable of allowing a person to
18 access and use the online voter registration system
19 established under Section 1A-16.5.